

Minutes of the Special and Regular Meeting of January 23, 2007
One Twin Pines Lane, Belmont, California

SPECIAL MEETINGS

CLOSED SESSION - 6:30 P.M.

- A. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(b) Significant Exposure to Litigation: One Case
- B. Conference with Real Property Negotiator, Jack Crist, pursuant to G.C. Section 54956.8: APN 040-360-400 and 040-360-480; negotiations to include price, terms and conditions of sale.

Attended by Councilmembers Feierbach, Warden, Dickenson (arr. 6:40), Lieberman (arr. 6:50), Mathewson, City Manager Crist, City Attorney Zafferano, Community Development Director de Melo, Public Works Director Davis. City Clerk Cook was excused from attending.

ADJOURNMENT at this time, being 7:20 P.M.

Terri Cook
City Clerk

This meeting not tape recorded or videotaped.

REGULAR MEETING

CALL TO ORDER 7:30 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Lieberman, Dickenson, Warden, Mathewson, Feierbach

COUNCILMEMBEERS ABSENT: None

Staff Present: City Manager Crist, City Attorney Zafferano, Community Development Director de Melo, Police Chief Mattei, Public Works Director Davis, Finance Director Fil, Human Resources Director Sam, City Clerk Cook.

PLEDGE OF ALLEGIANCE

Led by City Clerk Cook.

REPORT FROM CLOSED SESSION

City Attorney Zafferano stated there were no reportable actions from the earlier closed sessions.

SPECIAL PRESENTATIONS

Swearing In of Sabrina Chicas, Lead Dispatcher

Police Lieutenant DeSmidt provided a brief background of Ms. Chicas' tenure with the City of Belmont. He noted that since she was hired as a dispatcher in 1999, she has received many commendations and has been named Dispatcher of the Year six times. Staff determined that she was the right candidate for the newly-created position of Lead Dispatcher. Ms. Chicas' focus is on customer service.

City Clerk Cook administered the Oath of Office. Ms. Chicas' father pinned her badge.

Lead Dispatcher Chicas introduced her family, including her husband, Mike, who is a police officer for the City of Belmont. She thanked the administration for the opportunity to serve in this position, and thanked her co-workers for their support.

Report from the Belmont Library

John Violet, Friends of the Belmont Library (FOBL), provided an update on activities at the library since its opening in April of 2006. He provided an overview of the programs that were funded as a result fundraising efforts in 2006. He announced that there would be a book plate program initiated whereby someone could purchase a book for the collection and have their name added as the donor. He stated that FOBL is kicking off its annual membership drive, and encouraged residents to join.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Andrei Maslov, Belmont resident, presented a petition (on file in the City Clerk's Office) requesting that the City Council override the staff decision to deny the installation of speed bumps on North Road. He also requested that the guidelines for speed bumps be changed.

Radek Vingralek, Belmont resident, requested reconsideration of the staff denial for the installation of speed bumps on Monserat Avenue. He outlined reasons to rebut the decision to deny, and noted that many Monserat residents attended the Traffic Safety Committee Meeting regarding this issue.

Gillian Harron, Belmont resident, concurred with the previous speaker, and asked the Council to reconsider the guidelines for speed humps.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Councilmember Dickenson stated he has been attending meetings of the County Utility Task Force, and noted that it is close to having a product to present regarding County-wide strategies.

Mayor Feierbach announced the upcoming special meeting on January 25th to discuss economic development opportunities. She also announced that applications for City commissions were being accepted through the end of the month.

CONSENT CALENDAR

Approval of Minutes of Regular Meeting of December 12, 2006

Approval of Resolution 9846 Approving Establishment of a 4-Hour Parking Zone on the West Side of El Camino between Ralston Avenue and Waltermire Street and on the South Side of Emmett Avenue between El Camino Real and Safeway Driveway

Approval of Resolution 9847 Approving an Open Space/Conservation Easement and an ownership and Open Space Management Plan for the Sending Parcel (APN 043-072-060) in an Approved Floor Area Transfer Between said Parcel and a Discontiguous Receiving Parcel (APN 043-111-180) at 3817 Naughton Avenue

Approval of Resolution 9848 Authorizing New Classification and Salary Range of Dispatcher and Elimination of Dispatcher I and Dispatcher II Classifications

ACTION: On a motion by Councilmember Mathewson, seconded by Councilmember Dickenson, the Consent Calendar was unanimously approved by a show of hands.

OLD BUSINESS

Discussion of Allied Waste Performance

Public Works Director Davis provided a brief review of the formation of the South Bayside Waste Management Authority as a way to reduce costs for solid waste for member agencies. He reviewed the hearings that have been held to date to address a variety of operational and performance issues regarding trash collection, and he outlined the upcoming hearings. He noted that Allied Waste defines a missed garbage pickup as one that occurs 24 hours past the scheduled time.

Public Works Director Davis reviewed Allied Waste's statistics regarding recent courtesy pickups and missed pickups. He noted that the Public Works Department is tracking its own data on calls received.

In response to Council questions, Public Works Director Davis noted that there has been a downward trend in the volume of missed pickups. He clarified that the requirement that Christmas trees be cut in 4-foot sections in order to be collected by Allied has always been the requirement, it just has not been enforced in prior years.

Evan Boyd, Allied Waste, acknowledged the poor communication regarding the tree collection. He noted that the new equipment cannot handle pieces more than four feet in length. The equipment is more automated to relieve the burden on drivers. Many other companies have similar equipment. He clarified that Allied was able to accommodate residents who were unable to cut the tree themselves. He pledged better communication and improved service in the future.

Discussion ensued regarding other operational and equipment issues.

In response to Council questions, Public Works Director Davis stated that by 2005, most corrective actions from the previous two years had been met. Following that time, there was a decline in customer service and response time, but that improvements have been made in recent months.

Mr. Boyd further responded that the method of recording the data has been shown through audit to be inaccurate, which is being corrected. He noted that one staff member is now dedicated to doing nothing but dealing with missed pickups.

Councilmember Dickenson stated that this service challenge may not be solely the fault of Allied Waste, but is a layer of bureaucracy problem, notably in the Joint Powers Authority (JPA). There continues to be service issues and inconsistent data. He recommended consideration for withdrawing from the JPA. He acknowledges the need to commit to the capital improvements as outlined in the JPA agreement.

Public Works Director Davis stated that staff would need to compile information to report back to Council regarding alternatives if withdrawal from the JPA is to be considered. He noted that solid waste would still need to be taken to the transfer station, and the pay-off of bonds would still need to be made by Belmont. He commented that the current contract may not have been well written. He noted that recent statistical collection data should be forthcoming soon.

Mr. Boyd stated that an executive summary could be provided along with the new data to explain trends and forecasts. He noted that the JPA agreement has provisions for liquidated damages, which have been paid in the past, and there may be more to pay.

Resolution Recommending Commitment to the South Bayside Waste Management Authority (SBWMA) Contractor Selection Process

Matter continued to later in the Meeting.

Discussion and Direction Regarding Historic Photo Display at City Hall

City Clerk Cook reviewed previous discussions regarding the placement of historic photos and/or artwork in the public areas of City Hall. She noted that at that time, the City Council did not support such a display, as it wished to leave the hallways in their pristine condition. Recently the Council directed that staff look into this idea once again. A subcommittee was formed consisting of Councilmember Dickenson, Belmont Historical Society President Denny Lawhern, and the City Clerk. The committee reviewed the various areas of the hallways which could support photo displays and/or display cabinets. The potential displays for these areas were outlined by City Clerk Cook.

Staff was surveyed for their input regarding this matter, and there was overwhelming support for some sort of photo display.

Denny Lawhern, Belmont Historical Society, recommended the initiation of a pilot program on the walls outside of the City Clerk's office, the cost of which could be borne by the Historical Society. The committee could choose the photos. He showed samples of photos and framing. He noted there has been receptiveness in the community for this concept, and he felt a display of historic photos would bring out the life of the building.

Councilmember Warden expressed support for a conservative number of photos on the second and third floors only. He also supported a display representing a wide range of years.

Councilmember Lieberman expressed support, and thanked Mr. Lawhern for his involvement.

Councilmember Mathewson expressed support for the pilot project, and expressed support for the installation of a display cabinet.

Councilmember Dickenson also expressed his support for this pilot project.

Mayor Feierbach stated that she prefers clean walls, but would support the project. She noted the problems surrounding artwork displays in prior years. She recommended that the display be done elegantly.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Consideration of review of speed hump policy (Feierbach)

Mayor Feierbach stated that the City's current guidelines for speed humps should be reviewed. She noted that other cities use speed humps in a variety of places throughout their cities.

Councilmember Dickenson stated that the City has a Traffic Calming Program in place which could be used to facilitate this process.

Public Works Director Davis stated that if there was consensus for this matter to be reviewed, it be placed on the Priority Calendar. In response to Council questions, he noted that the policy protects the City from liability, and facilitates traffic calming. He clarified that engineering studies were used to develop the policy. There are concerns regarding emergency vehicles traversing over speed humps.

Councilmember Warden noted that the current policy calls for specific criteria to be met, and recommended that the criteria be modified. Denials should not be appealed, otherwise, what is the point of the criteria.

Mayor Feierbach stated that the criteria can never be met.

Discussion ensued.

Public Works Director Davis recommended revisiting the policy and then reevaluating the two recent denials. He noted that the Institute of Transportation Engineers will soon be issuing new best practices. He will report back to Council regarding this matter.

Permit Posting Requirements (Dickenson)

Councilmember Dickenson expressed concern regarding hours of construction being adhered to throughout the City. He stated that all permitted contractors in San Francisco display a sticker

stating they are permitted to do business in the City. There are issues regarding the use of construction debris boxes, and he recommended that the permit be posted on the box.

Council concurred to have staff look into this issue.

Resolution Recommending Commitment to the South Bayside Waste Management Authority (SBWMA) Contractor Selection Process (continued from earlier in the evening)

Councilmember Warden stated that he does not support SBWMA's current policy regarding the requirement of 75 percent vote to withdraw from the Joint Powers Agreement, and that elected officials are not permitted to serve on the board.

Public Works Director Davis clarified that the City can withdraw from the process at any time, and it does not need to commit to the new franchisee.

Councilmember Warden responded that the City of Belmont cannot solicit its own contractor if the proposed resolution is adopted.

Discussion ensued.

Public Works Director Davis stated that until a new franchise is in place, the only recourse for collection problems is through performance, which is a provision in the current franchise agreement.

City Attorney Zafferano clarified that any vote to separate from the Joint Powers Authority is separate from the franchise agreement. Belmont cannot dissolve the franchise even through SBWMA. He recommended this item be placed on a future agenda for additional information if the Council desires to pursue the matter.

Krista Kuenhackl, Belmont resident, recommended that the Council reconsider its position with SBWMA. It should reevaluate the core package of service. Economies of scale are not being met. A single-stream rather than dual-stream collection process should be used by Allied Waste.

She expressed concern that diversion would not be increased with using dual stream, but weekly service may be better. The container is what matters.

Kristen Mercer, Belmont resident, recommended that the Council not proceed with the proposed agreement. She expressed concern regarding the mixing of trash and recyclables, and noted this may degrade the marketability of the products. She does not agree with the assertion that there would be little savings by going to a one-man truck. SBWMA is not providing the best package of services. Other cities may have better services.

Councilmember Lieberman suggested that SBWMA representatives address the issues raised.

Councilmember Warden stated he desires only to have a dialog about what will transpire over the next four years, not a presentation from SBWMA.

ADJOURNMENT at this time, being 9:45 P.M.

Terri Cook

Belmont City Clerk

Meeting Tape Recorded and Videotaped

Audio Recording 654